

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
(317) 232-9855

**FISCAL IMPACT STATEMENT**

**LS 7732**

**BILL NUMBER: SB 341**

**DATE PREPARED:** Jan 4, 2001

**BILL AMENDED:**

**SUBJECT:** Life Imprisonment for Repeat Sex offenders.

**FISCAL ANALYST:** Sherry Fontaine

**PHONE NUMBER:** 232-9867

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill allows a court to sentence a person to life imprisonment without parole upon conviction of a second Class A felony or Class B felony that is a sex offense against a child.

**Effective Date:** July 1, 2001.

**Explanation of State Expenditures:** State expenditures would increase if an offender is sentenced to life imprisonment without parole for a second Class A or Class B felony for a sex offense against a child. The average expenditure to house an adult offender was \$20,700 in FY 1999. Individual facility expenditures ranged from \$14,936 to \$37,807. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner.

A Class A felony is normally punishable by a prison term ranging from 20 to 50 years depending upon mitigating and aggravating circumstances. The average length of stay in Department of Correction (DOC) facilities for all Class A felony offenders is approximately eight years, four months. A Class B felony is normally punishable by a prison term ranging from six to twenty years depending upon mitigating and aggravating circumstances. The average length of stay in DOC facilities for all Class B felony offenders is approximately three years, six months.

**Explanation of State Revenues:** The maximum fine for a Class A felony and a Class B felony is \$10,000. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

**Explanation of Local Expenditures:** If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. The average cost per day is approximately \$44.

**Explanation of Local Revenues:** If court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

**State Agencies Affected:** Department of Correction.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:** Indiana Sheriffs Association, Department of Correction.